IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

PROGRESSIVE GULF INSURANCE)
COMPANY,)
)
Plaintiff and Counter-Defendant,)
)
V.) Civil Action No. 7:18-cv-00293
)
WILLIAM BURKE,) By: Elizabeth K. Dillon
) United States District Judge
Defendant and Counter-Claimant.)

FINAL ORDER AND DECLARATORY JUDGMENT

In accordance with the memorandum opinion entered this day, it is hereby ORDERED that plaintiff's motion for summary judgment (Dkt. No. 18) is GRANTED and that judgment is entered in favor of plaintiff. The court hereby DECLARES that Progressive Gulf Insurance Company's policy (Virginia Boat and Personal Watercraft Policy, Policy No. 28411417) does not provide coverage for any losses, damages, or expenses arising from the insured's Vessel sinking at its dock in January 2018.

It is further ORDERED that Burke's counter-claim (Dkt. No. 11) is DISMISSED WITH PREJUDICE.

The clerk is directed to strike this case from the active docket of the court. The clerk is further directed to send copies of this order and the memorandum opinion to all counsel of record.

Entered: May 10, 2019.

/s/Elizabeth K. Dillon Elizabeth K. Dillon

United States District Judge